#### **OBTAINING A DIVORCE IN BEAVER COUNTY**

- Divorces are filed in the Prothonotary's Office located on the first floor of the Beaver County Courthouse.
- At the time of filing, there will be a \$154.75 filing fee. (Cash or check only.) This fee may be waived if your income falls below the federal poverty guidelines. (See Form 2.)
- If you are seeking to have the filing fees waived, take the completed forms 1 and 2 (the Complaint and the In Forma Pauperis) with all other required documentation to Courtroom #8 no later than 8:45 a.m. any Monday, Tuesday or Thursday morning. No appointment is needed. Take a seat and wait your turn.
- If you wish to resume your maiden name, bring an additional \$9.00
- Please follow the instructions in the packet very carefully.

#### **DIVORCE PROCEDURE**

These forms are not designed for complicated divorce issues. It is likely that any complex divorce matter is going to require additional forms that are not included here and the expertise of a lawyer. Examples of a complicated divorce matter include: a request to divide property, receive alimony, payment of attorney's fees and expenses, or if your spouse is in the military.

IF YOU FAIL TO RAISE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES IN YOUR DIVORCE COMPLAINT YOU WILL WAIVE OR LOSE THE RIGHT TO MAKE SUCH CLAIMS WHEN THE DIVORCE DECREE IS ENTERED.

## STEP ONE: The Notice to Defend, Complaint and Verification (Form 1).

A divorce case is started with the filing of a "Complaint." There are two forms that should be attached to the Complaint: the "Notice to Defend and Claim Rights" page should be attached before the first page of the complaint and the "Verification" must be attached after the last page.

The Complaint is filed in the Prothonotary's office, where civil matters are filed. You must pay the filing fee, unless you have been granted the right to proceed *In Forma Pauperis*. (See Form 2.)

The caption at the top of each form includes the county's name, your name, your spouse's name, and the docket number assigned to the case by the Prothonotary's office. This caption must be identical on all documents filed in your case, regardless as to which party is filing the document.

#### **How to Complete Step 1**

- 1. Complete all four pages of Form 1.
- 2. After you have filled out Form 1, make two copies of Form 1. (If you are also requesting to proceed *In Forma Pauperis*, fill out Form 2, and make two (2) copies of Form 2).
- 3. File Form 1 and if you have received a court Order granting you permission to proceed *In Forma Pauperis*, file Form 2.
- 4. Take the original and your two copies to the Prothonotary. The Prothonotary's office will time-stamp the original and two copies. The original will stay in the Prothonotary's file and the two copies will be returned to you. One of the copies is for your records; the other copy must be served on the other party in STEP TWO.

#### **STEP TWO: Service of the Complaint.**

After filing the Notice to Defend, Complaint and Verification (Form 1), these documents must be served on the other party within thirty (30) days of the date they were filed, which is the date time-stamped on the document.

If the other party does not live in Pennsylvania, the time requirement is extended to ninety (90) days. If service is not completed within 30 days of the date of filing, the Complaint must be reinstated using Form 4 and re-served.

Service of the Notice to Defend, Complaint and Verification (Form 1) must be made either by Personal Service, by Acceptance of Service, or by regular and Certified Mail return receipt requested, restricted delivery.

If you were unable to serve the opposing party within 30 days (or within 90 days if the other party lives outside Pennsylvania), then you must complete and file the Praecipe to Reinstate the Complaint, Form 4.

The date you file this Praecipe re-starts the clock for service. You will have another 30 days to serve the other party (or 90 days for a defendant outside Pennsylvania).

#### **How to Complete Step 2**

1. Decide which method you will use to serve the other party. Based on that, select the corresponding form and fill in the caption exactly as it appears on Form 1. Follow the instructions for the method of service you choose:

**Form 3-A:** Acceptance of Service – Give the opposing party Form 1. The other party signs the Affidavit of Acceptance of Service, Form 3-A, stating that he/she has received a copy of Form 1.

-OR

**Form 3-B: Service by Mail** – Mail Form 1 to the opposing party by regular <u>and</u> certified mail, return receipt requested, restricted delivery. You must complete the Affidavit of Service by Mail, Form 3-B, stating that you have mailed your spouse the required forms by certified mail.

You must also attach the green card receipt received from the post office. Make a photocopy of this green card for your records and file the original with the Prothonotary by attaching it to Form 3-B. If the certified mail is returned unclaimed, another form must be used.

-OR

- **Form 3-C: Personal Service** Any adult, other than you, (i.e. Sheriff, Constable, or any reliable third party) may personally hand Form 1 to the opposing party. However, that third party who hands the papers to your spouse must sign a completed Affidavit of Service by Personal Service, Form 3-C.
- 2. After you have completed either Form 3-A, B, or C (whichever method you chose to serve the other party), make one copy.

- 3. File either Form 3-A, B, or C (whichever method you chose to serve the opposing party) with the Prothonotary. Take the original and one copy to the Prothonotary and have each document time-stamped. The original will stay in the file in the Prothonotary's file and the copy will be returned to you for your records.
- 4. If you are having trouble completing service within the time limits, you may file a Praecipe to Reinstate the Complaint, Form 4, as many times as you need. The clock starts from the day it is time-stamped in the Prothonotary's office. If you continue to have problems completing service, it is recommended that you speak to an attorney. You may not proceed with your case until proper service has been made.

IF YOUR SPOUSE CONSENTS TO THE DIVORCE, FOLLOW THE STEPS FOR A 3301(C) DIVORCE.

IF YOUR SPOUSE DOES NOT CONSENT TO THE DIVORCE, FOLLOW THE STEPS FOR A 3301(D) DIVORCE.

#### HOW TO PROCEED WITH A 3301(d) NON-CONSENT DIVORCE:

#### **STEP THREE:** Wait ONE year.

The Pennsylvania Rules of Civil Procedure require the parties to be separated for one year before proceeding with a non-consent no-fault divorce. This means that the parties must live separate and apart for one full year.

IF THE PARTIES WERE SEPARATED FOR A TIME PERIOD BEFORE THE FILING OF THE COMPLAINT, THAT TIME IS INCLUDED IN THE ONE YEAR REQUIREMENT.

THEREFORE, IF YOU HAVE ALREADY BEEN SEPARATED FOR AT LEAST ONE YEAR WHEN YOU INITIALLY FILE, YOU MAY PROCEED WITH A 3301(d) DIVORCE IMMEDIATELY AFTER FILING AND SERVING THE NOTICE TO DEFEND, COMPLAINT, AND VERIFICATION (FORM 1).

STEP FOUR: Affidavit Under 3301(d) of the Divorce Code (Form 8), Notice of Intention to Request Entry of Section 3301(d) Divorce Decree and Counter-Affidavit (Form 9), Affidavit of Non-Military Service (Form 10).

General Information: Once the parties have been separated for two years, either party may sign and file an Affidavit Under Section 3301(d) of the Divorce Code (Form 8) stating that the parties have in fact been separated for one year.

Once the parties have been separated for one year and you have filed an Affidavit stating that you have been separated for one year, then a divorce may be entered after notice is given to the other party.

In addition to filing and serving the Affidavit Under Section 3301(d) of the Divorce Code (Form 8), you must also serve the other party with a Notice of Intention to Request Entry of Section 3301(d) Divorce Decree and Counter-Affidavit (Form 9) in order for them to have the opportunity to oppose the divorce or raise claims if they choose to do so.

If the other party does not oppose the divorce and does not wish to raise additional claims, they do not need to take any action on the Counter-Affidavit. If this is the case, a Divorce Decree may be issued twenty (20) days after service of the Notice of Intention to Request Entry of Section 3301(d) Divorce Decree.

Lastly, you cannot obtain a 3301(d) divorce against an unrepresented Defendant if he/she is in the military. Therefore, if your spouse is not represented by counsel, you must also sign and file an Affidavit of Non-Military Service (Form 10)

#### **How to Complete Step 4**

- 1. Complete and sign Form 8 and Form 9 and make two copies of each.
- 2. If your spouse is not represented by counsel and is not in the military, then also complete and sign Form 10. Make two copies.
- 3. File only Form 8, and if applicable, Form 10 (the original of Form 9 will be served without filing, and a copy will be filed in the future). The originals stay in the Prothonotary, and the copies are returned to you for your records.

## STEP FIVE: Service of the Affidavit Under 3301(d) of the Divorce Code, Notice of Intention to Request Entry of Section 3301(d) Divorce Decree with Counter-Affidavit, and Affidavit of Non-Military Service.

A 3301(d) divorce cannot be completed without proper service of all the required forms. Because the other party's consent is not required in order for a divorce to be entered against them, it is especially important that all service procedures are strictly followed.

#### **How to Complete Step 5**

- 1. Mail the original Form 9, a copy of Form 8, and, if applicable, a copy of Form 10 by first class mail to your spouse.
- 2. Complete Form 11, the Certificate of Service, and mark the appropriate boxes for the documents you have mailed to your spouse. Make one copy of Form 11.
- 3. File Form 11. The Prothonotary's office will time-stamp the original and the copy. The original stays in your file, and the copy is returned to you for your records.

#### STEP SIX: Wait 20 days.

General Information: The Pennsylvania Rules of Civil Procedure require that twenty (20) days elapse between serving the Notice of Intention to Request Entry of Section 3301(d) Divorce Decree and filing the Praecipe to Transmit Record.

## STEP SEVEN: Praecipe to Transmit Record (Form 12), Divorce Decree (Form 13) Divorce Information Sheet (Form 14), and any other forms required by your county.

Upon the proper service of the above mentioned documents, the divorce may be concluded by either party filing with the Prothonotary a Praecipe to Transmit Record (Form 12).

Attach a copy of the Notice of Intention to Request Entry of 3301(d) and a blank Counter-Affidavit (Form 9) to the Praecipe to Transmit Record (Form 12). Check your records for the exact dates necessary to complete the form.

Reminder: The date of execution is the date the form was signed. The date of the time-stamp is the date the form was filed.

Additional forms are also required by the Court, including a proposed Divorce Decree (Form 13) and a Divorce Information Sheet (Form 14). You must provide the Prothonotary with self-addressed and stamped envelopes for you and your spouse in order for the court to mail you a copy of final divorce decree.

#### **How to Complete Step 7**

- 1. Review all paperwork for completeness.
- 2. Complete Form 12 and make one copy:

Line 1: Circle 3301(d).

Line 2: Write the date of service and the manner of service (Acceptance, Certified Mail, or Personal Service).

Line 3(b): write the date you signed Form 8 and then the date you served Form 8 (the date on the Certificate of Service, Form 11).

Line 4: write if any claims are pending, and if none, write "no claims pending."

Line 5(a): write the date you served Form 9 (Notice of Intention and blank Counter-Affidavit), and attach a copy of Form 9 to Form 12.

- 3. Complete Form 13, 14, and any other forms required by your county. Make one copy of each.
- 4. File Forms 12, 13, 14, and any other forms required by your county in the Prothonotary's office. The office will time-stamp both the originals and your copies. The originals stay in the file, and the copies will be returned to you for your records.

#### STEP EIGHT: Divorce Decree.

The Divorce Decree will be mailed to both parties after filing the above forms, presuming there are no mistakes. If corrections need to be made to the paperwork, a final divorce decree will not be entered until the court has the corrected paperwork. The responsibility of submitting accurate paperwork is that of the parties; the Court will not correct filings with mistakes.

#### **How to Complete Step 8**

At some point while your divorce is pending, provide the Prothonotary's office two stamped envelopes, one with your current address and one with your spouse's current address, so that the Prothonotary can mail copies of your Divorce Decree once it is granted.

#### **Instructions for:**

## Form 1 Divorce Complaint

#### Form 1 - Divorce Complaint

The numbers on these instructions correspond with the numbers in the arrowboxes on the form. Use the form with the arrowboxes to guide you through filling out the blank form.

- 1. Write the name of the county you are filing in by arrowbox 1.
- 2. Write your name by arrowbox 2.
- 3. Write your spouse's name by arrowbox 3.
- 4. Leave the line by arrowbox 4 blank. The Prothonotary's Office will assign a docket number and write it here. You will use that number in this case from now on.
- 5. Write the name of the county you are filing in by arrowbox 5. Arrowboxes 5 and 1 should be the same.
- 6. Write the name of the city or town in which the county's courthouse is located by arrowbox 6.
- 7. Write in arrowbox 7

Lawyer Referral Service

**The Beaver County Bar Association** 

788 Turnpike Street Beaver, PA 15009 Telephone # 724-728-4888

- 8. Write the name of the county you are filing in by arrowbox 8.
- 9. Write your name by arrowbox 9.
- 10. Write your spouse's name by arrowbox 10.
- 11. Leave the line by arrowbox 11 blank.
- 12. Write your name by arrowbox 12.
- 13. Write your street address by arrowbox 13.
- 14. Write the name of the city or town in which you live by arrowbox 14.
- 15. Write the name of the county in which you live by arrowbox 15.
- 16. Write the state in which you live by arrowbox 16A. Write the zip code in which you live by arrow box 16B.
- 17. Write your spouse's name by arrowbox 17.
- 18. Write your spouse's street address by arrowbox 18.
- 19. Write the name of the city or town in which your spouse lives by arrowbox 19.
- 20. Write the name of the county in which your spouse lives by arrowbox 20.
  - 21. Write the state in which your spouse lives by arrowbox 21A. Write the zip code in which your spouse lives by arrow box 21B.
- 22. Write the day, month, and year you and your spouse were married by arrowbox 22.
- 23. Write the county or city in which you and your spouse were married by arrowbox 23.

- 24. Write the state or country in which you and your spouse were married by arrowbox 24.
- 25. Write "have been" or "have not been" by arrowbox 25, depending on whether there have been any prior actions of divorce or annulment between the parties.
- 26. If there have not been any prior actions for divorce or annulment between the parties, leave the line by arrowbox 26 blank. A prior action may have been brought in the country, another state, or another country. If there has been prior action, write down the name of the jurisdiction (where the other action was filed ) and the docket number of the other action here.
- 27. Write "are" or "are not" by arrowbox 27, depending on whether you and your spouse are currently living together.
- 28. If you and your spouse are still living together, leave the line by arrowbox 28 blank. If you and your spouse are living separately, write the date, month, and year you and your spouse separated by arrowbox 28.
- 29. Write "is" or "is not" to indicate whether your spouse is a member of the Armed Services by arrowbox 29.
- 30. Sign your name after you have thoroughly read Form 1 and after you thoroughly understand the statements you are making in the divorce complaint by arrowbox 30.
- 31. Write the date by arrowbox 31.
- 32. Sign your name after you have thoroughly read Form 1 and after you thoroughly understand the statements you are making in the divorce complaint by arrowbox 32. By signing by arrowbox 32, you are verifying that all the information you provided in Form 1 is true, correct, and accurate.
- 32. File these forms in the Prothonotary's Office and pay the fee (unless you file a request to proceed *In Forma Pauperis*, Form #2).

Counties may require additional information be stated in the Divorce Complaint. For example, Centre County requires the parties indicate if they have any children under age 18 because there may be additional requirements for divorcing parents. To check what your county requires, call your Court Administrator's Office and review your county's local Rules of Court.



IN THE COURT OF COMMO 1	EAS OF COUNTY, PENNSYLVANIA
PLAINTIFF (your full name)	CIVIL ACTION – LAW
vs. 3	Case No.
<b>DEFENDANT</b> (spouse's full name)	IN DIVORCE
NOTICE TO	DEFEND AND CLAIM RIGHTS
you must take prompt action. You are warned to of divorce or annulment may be entered against other claim or relief requested in these papers be important to you, including custody or visitation.  When the ground for the divorce is marriage counseling. A list of marriage counsel Office of the Prothonotary,  IF YOU DO NOT FILE A CLAIM OR EXPENSES BEFORE A DIVORCE OR A CLAIM ANY OF THEM.	ities or irretrievable breakdo 5 marriage, you may request allable in(county) Courthouse,
LAWYER, GO TO OR TELEPHONE THE OF WITH INFORMATION ABOUT HIRING A LIF YOU CANNOT AFFORD TO	FFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU LAWYER. HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE
YOU WITH INFORMATION ABOUT AGEN PERSONS AT A REDUCED FEE OR NO FEE	CIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE E.
	7

Form 1 Page 1 of 4



# PLAINTIFF (your full name): CIVIL ACTION – LAW Case No. DEFENDANT (spouse's full name) IN DIVORCE

#### COMPLAINT FOR DIVORCE UNDER SECTION 3301(c) OR 3301(d) OF THE DIVORCE CODE

AND NOW, comes the Plaintiff and for cause of action against the Defendant says: 1. Plaintiff is hame), an adı o currently resides at \_\_\_ (city), 15 (Zip Code) (state) (spouse's name), an adult individu 19 2. Defendant is currently resides (street address). 21B (city), 20 (state)\_ (county), (Zip Code) 3. Either Plaintiff or Defendant has been bona fide resident of the Commonwealth of Pennsylvania for at least six months immediately previous to the filing of this Complaint. 4. Plaintiff 23 efendant were married on 24 (month/day/year), in (county), (state). (have been/have not been) prior actions of divorce or for annulment between 5. There the parties. (If there have 1 26 ame the jurisdiction and case number).

6. The marriage is irretrievably broken.

Form 1 Page 2 of 4



WHEREFORE, Plaintiff respectfully requests your Honorable Court enter a Decree in Divorce, divorcing Plaintiff and Defendant.

Respectfully submitted,
30

Plaintiff's Signature



#### **VERIFICATION**

I verify that the statements in the foregoing Complaint in Divorce are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date:	32	
	Plaintiff's Signature	

## \_\_\_\_\_\_COUNTY, PENNSYLVANIA \_\_\_\_\_\_, CIVIL ACTION – LAW PLAINTIFF (your full name) : Case No. \_\_\_\_\_\_ vs.

**DEFENDANT** (spouse's full name)

#### NOTICE TO DEFEND AND CLAIM RIGHTS

IN DIVORCE

IN THE COURT OF COMMON PLEAS OF

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the Court. A judgment may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable by	preakdown of the marriage, you may request marriage
counseling. A list of marriage counselors is available in	(county) Courthouse, Office of the Prothonotary,
(city), Pennsylvania.	

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral Service
The Beaver County Bar Association
http://bcba-pa.org/lawyer-referral-service/
788 Turnpike Street
Beaver, PA 15009
Telephone # 724-728-4888

### IN THE COURT OF COMMON PLEAS OF COUNTY, PENNSYLVANIA

PLAINTIFF (your full name)	CIVIL ACTION – LAW
vs.	Case No
	IN DIVORCE
	PLAINT FOR DIVORCE UNDER I(c) OR 3301(d) OF THE DIVORCE CODE
AND NOW, comes the Plaintiff and for caus	e of action against the Defendant says:
1. Plaintiff is(	your name), an adult individual who currently resides at
	(street address), (city),
(county), (state),	(zip code)
2. Defendant is	_ (spouse's name), an adult individual who currently resides at
	(street address), (city),
(county), (state),	(zip code)
3. Either Plaintiff or Defendant has been bo	na fide resident of the Commonwealth of Pennsylvania for at least six
months immediately previous to the filing of	this Complaint.
4. Plaintiff and Defendant were married on _	(month/day/year), in
(county), (state).	
5. There (have been/have n	ot been) prior actions of divorce or for annulment between the parties.
(If there have been, name the jurisdiction ar	nd case
number)	

6. The marriage is irretrievably broken.

- 7. The parties \_ (are/are not) living separate and apart. If the parties are living separate and apart, they have lived separate and apart since [ (month/day/year).
- 8. Plaintiff has been advised that counseling is available and that Plaintiff may have the right to request that the Court require the parties to participate in counseling.
- 9. The Defendant (is/is not) a member of the Armed Services of the United States or any of its allies.
- 10. Plaintiff requests that the Court enter a decree of divorce.

WHEREFORE, Plaintiff respectfully requests your Honorable Court enter a Decree in Divorce, divorcing Plaintiff and Defendant.

Respectfully submitted,		
Plaintiff's Signature		

#### **VERIFICATION**

I verify that the statements in the foregoing Complaint in Divorce are true and correct to the best of my knowledge,
information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §
4904, relating to unsworn falsification to authorities.
Date:
Plaintiff Signature

## Instructions for: Form 2 Petition to Proceed In Forma Pauperis

#### In Forma Pauperis-Form 2

If you think you meet the income requirements to proceed *in forma pauperis* (IFP) to be excused from paying any costs related to your litigation, then you can request that the Court excuse you from paying filing fees.

In order to ask for IFP status, you must file a "Petition to Proceed In Forma Pauperis and Affidavit" and a "Verification" with the Court, in which you provide the judge very detailed information about your financial situation.

You should fill out, sign, and date the Petition to Proceed In Forma Pauperis and Affidavit and the Verification. You will need to present the Petition along with supporting documentation, to the judge who handles Divorce Motions. The Motions Court schedule is posted on the website.

Complete the caption exactly as it appears on all the pleadings in your case. Make sure that the financial information is complete and accurate, or your petition will be denied. You should keep a copy of your IFP request for yourself.

If the Judge grants your request, you must show a copy of the IFP order to the Prothonotary every time you file something in your case. You do have the right to appeal the judge's decision if your petition is denied, but an appeal can be complicated and may require the involvement of an attorney.

Note: If granted IFP status, that status only applies to YOU, not to the other party in the case. If your spouse also wishes to be excused from paying any court costs or filing fees, he/she must submit his/her own IFP request.

#### **How to Request to Proceed In Forma Pauperis (IFP)**

- 1. Complete Form 2. All information regarding your financial situation must be complete and accurate. On the "Order," complete only the caption. The presiding judge will complete the rest when granting or denying your request.
- 2. Make one copy of Form 2.
- 3. File Form 2 with the Prothonotary. This can be done at any time during the divorce proceedings. Past fees paid will NOT be refunded; therefore, if you are financially unable to pay the filing fees, you should petition the court prior to filing your divorce Complaint (Form 1).
- 4. If IFP status is granted, show a copy of your IFP Order every time you file a document in your case.

## IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY PENNSYLVANIA

#### **CIVIL DIVISION**

		:		
		:	No	of 20
	Plaintiff,	:	Civil Action	on – Law
		:		
		:	Type of Pl	eading:
vs.		:	Petition to Pauperis	Proceed in Forma
		:	1 auperis	
			Filed on be	ahalf of:
	Defendant.			Chair of.
	Defendant.	•	(Your Nan	
			Filing Part	y's Information:
			Name:	
			Address:	
			Telephone	#

## IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY PENNSYLVANIA

	, :
Plaintiff,	:
vs.	: No
	,
Defendant.	:
PETIT	ION TO PROCEED IN FORMA PAUPERIS
то тне но	ORABLE, THE JUDGES OF THE SAID COURT:
Petitioner respectfully repres	nts that:
1. Petitionercaptioned action.	is the Plaintiff in the above
2. Petitioner's Social Securit	number is XXX-XX(only provide last 4 digits)
3. Petitioner's address is	
4. Petitioner's income and exaffidavit.	(give full address) bense information is fully and accurately set forth in the attached
5. I am over 18 years of age.	Yes / No (circle one)
	oner respectfully requests Your Honorable Court to enter an Order orma pauperis in the above captioned action.
	Respectfully submitted,
	Petitioner

#### AFFIDAVIT IN SUPPORT OF PETITION TO PROCEED IN FORMA PAUPERIS

- 1. I am the petitioner in the above matter and because of my financial condition am unable to pay the fees and costs.
- 2. I am unable to obtain funds from anyone, including my family and Associates, to pay the costs
- of litigation. 3. I represent that the information below relating to my ability to pay the fees and costs is true and correct: Name \_\_\_\_\_ Address (give full address) Petitioner's Social Security number is XXX-XX-\_\_\_\_\_(only provide last 4 digits) A. Employment If you are presently employed, state Employer: \_\_\_\_\_ Address: \_\_\_\_\_ Salary or wages per month \_\_\_\_\_ If you are presently unemployed, state Date of last employment: Salary or wages per month: Type of work: B. Other income within the past twelve months Business or profession: Other self-employment: Dividends: Pension and annuities:

Social Security benefits:

Support payments:

F. Persons dependent upon you for Support:	
Other:	
Loans:	
Rent:	
Mortgage:	
E. Debts and obligations	
Other	
Stocks; bonds:	
Amount owed \$	
Motor vehicle: Make Year Cost	
Real estate (including home):	
Certificates of deposit:	
Savings account:	
Checking account:	
Cash:	
D. Property owned	
Other contributions	
Contribution from parents:	
Contributions from children:	
C. Other contributions to household support	
Public assistance:	
Workmen's compensation:	
Unemployment compensation and supplemental benefits:	
Disability payments:	

I understand that I have a continuing obligation circumstances which would permit me to pay	ion to inform the court of improvement in my financial y the costs incurred herein.		
I verify that the statements made in this affid	lavit are true and correct.		
I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities which provides that if I knowingly make false averments, I may be subject to criminal penalties.			
	Petitioner's Signature		
Date:			

## IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY PENNSYLVANIA

	Plaintiff,	:	
		:	
		:	No
vs.		: :	
		:	
	Defendant.	:	
	ORDER TO W	AIVE FIL	ING COSTS
AND NOW, this	day of		, 20, upon consideration of the
attached Petition to Proceed	d in Forma Pauperi	is, it is here	eby ordered that the filing costs be waived
		BY	THE COURT
			<del>_</del>

**JUDGE** 

## FORM 3

- Form 3 A- Affidavit of Acceptance of Service
- Form 3 B- Affidavit of Service by Mail
- Form 3 C- Affidavit of Service by Personal Service

Instructions for these forms can be found in the introductory instructions on Page 2.

#### 

Respectfully Submitted,

Defendant's Signature

Date:\_\_\_\_\_

### IN THE COURT OF COMMON PLEAS OF COUNTY, PENNSYLVANIA

DI AINTIFI	F (your full name) : C	IVIL ACTION – LAW	
VS	: : C	ase No	
DEFENDA	ANT (spouse's full name) : If	N DIVORCE	
	AFFIDAVIT OF SERVI	CE BY MAIL	
l, _	, Plaintiff in the above	-captioned action depose and say the following:	
1.	. On(date mailed documents), a copy of the Complaint in Divorce and Notice		
	to Defend and Claim Rights with Notice of A	vailability of Counseling in the above-captioned	
	matter was mailed to the Defendant by Certi	fied Mail, Return Receipt Requested, Deliver to	
	Addressee Only and regular mail, at Defend	lant's last known address, as indicated on the	
	attached mailing receipt.		
2.	On(date of spouse's signa	ature on green return card), Defendant received	
	the aforesaid Divorce Complaint and the mailing	ng receipt and return receipt card evidencing the	
	same are attached hereto and made a part her	eof.	
Ιv	verify that the statements in this document are tru	e and correct to the best of my knowledge,	
information	n, and belief. I understand that false statements h	erein are made subject to the penalties of 18	
Pa.C.S. § 4	4904, relating to unsworn falsification to authoritie	<del>2</del> 8.	
	Re	espectfully Submitted,	
Date:			
	Pla	aintiff's Signature	

## IN THE COURT OF COMMON PLEAS OF COUNTY, PENNSYLVANIA

PLAINTIFF (your full name)	: CIVIL ACTION – LAW	
vs.	: Case No	
DEFENDANT (spouse's full name)	: IN DIVORCE	
AFFIDAVIT OF SER	RVICE BY PERSONAL SERVICE	
l,	hereby depose and say that on this date, I	
personally served the above-captioned Defe	endant with a Complaint in Divorce and Notice to	
Defend and Claim Rights with Notice of Ava	ailability of Counseling, by personally handing the same	
to him/her on(date).		
I verify that the statements in this do	ocument are true and correct to the best of my	
knowledge, information, and belief. I unders	stand that false statements herein are made subject to	
the penalties of 18 Pa.C.S. § 4904, relating	to unsworn falsification to authorities.	
	Respectfully Submitted,	
Date:		
	Signature of Person Who Served	
	Defendant (Not the Plaintiff)	

#### **Instructions for:**

## Form 4 Praecipe to Reinstate the Complaint

#### Form 4 – Praecipe to Reinstate the Complaint

You only need to file this form if you were unable to successfully serve the Complaint, Form 1, on the other party within 30 days (or within 90 days if the other party does not live in Pennsylvania). The date you file this Praecipe re-starts the clock for service, and you will have another 30 days (or 90 days if the other party does not live in Pennsylvania) to serve Form 1 on the other party. For example, if you file the Praecipe to Reinstate the Complaint on January 1st, then you must serve the other party by January 31st.

- 1. Write the name of the county in which you are filing in the first blank.
- 2. Write your name by the second blank. Write your name exactly as you wrote it on Form 1.
- 3. Write your spouse's name by the defendant's blank. Write your spouse's name exactly as you wrote it on Form 1.
- 4. Write the docket number by the Case No. blank. The docket number is the number that the Prothonotary's Office wrote on Form 1at the time of filing.
- 5. Write the date.
- 6. Sign this form.
- 7. File this form with the Prothonotary.

## IN THE COURT OF COMMON PLEAS OF COUNTY, PENNSYLVANIA

PLAINTIFF (your full name)	: CIVIL ACTION – LAW
1 27 III ( ) Our ruir maine)	: Case No
vs.	:
DEFENDANT (spouse's full name)	: : IN DIVORCE
PRAECIPE TO REIN	NSTATE THE COMPLAINT
To the Prothonotary:	
Please reinstate the Complaint for	Divorce under Section 3301(c) or 3301(d) of the
Divorce Code filed in the above-captioned	d matter.
	Respectfully submitted,
Date:	
	Plaintiff's Signature

#### **Instructions for:**

#### Form 8

## Affidavit Under Section 3301(d) of the Divorce Code

#### Form 8 – Affidavit Under Section 3301(d) of the Divorce Code

The numbers on these instructions correspond with the numbers in the arrowboxes on the form. Use the form with the arrowboxes to guide you through filling out the blank form.

- 1. Write the name of the county you are filing in by arrowbox 1. Write exactly what you wrote on Form 1, by arrowbox 1.
- 2. Write the name of the Plaintiff by arrowbox 2. Write it exactly as it appears on Form 1, by arrowbox 2.
- 3. Write the name of the Defendant by arrowbox 3. Write it exactly as it appears on Form 1, by arrowbox 3.
- 4. Write the docket number by arrowbox 4. The docket number is the number that the Prothonotary's Office wrote on Form 1, by arrowbox 4 at the time of filing.
- 5. Write the day, month, and year that you and your spouse separated by arrowbox 5. For example: March 25, 2006.
- 6. Write the date by arrowbox 6.
- 7. Sign your name by arrowbox 7.
- 8. File this form with the Prothonotary.

Note: This form MUST be properly served on the other party (see Divorce Procedure section). Use Form 11 for service.

### IN THE COURT OF COMMON PLEAS OF COUNTY, PENNSYLVANIA

,	:	CIVIL
ACTION – LAW PLAINTIFF	:	
	:	
	:	Case No
vs.	:	
	:	
<i>,</i>	:	
DEFENDANT	:	IN DIVORCE
	NOTICE	
If you wish to deny any of the states Counter-Affidavit within twenty (20) days af statements will be admitted.		forth in this Affidavit, you must file a ffidavit has been served on you, or the
SECTION	DAVIT UN N 3301(d) DRCE CO	OF THE
The parties to this action sepayear of separation), and have continued to livyear.		(month, day, and te and apart for a period of at least one
2. The marriage is irretrievably broke	en.	
3. I understand that I may lose right fees or expenses if I do not claim them before		ning alimony, division of property, lawyer's e is granted.
I verify that the statements in this knowledge, information, and belief. I under to the penalties of 18 Pa.C.S. § 4904, relatin	stand tha	
Date:		
	(Signatur	re)

#### **Instructions for:**

#### Form 9

## Notice of Intention to Request Entry of Section 3301(d) Divorce Decree



#### Form 9 - Notice of Intention to Request Entry of Section 3301(d) Divorce Decree

The numbers on these instructions correspond with the numbers in the arrowboxes on the form. Use the form with the arrowboxes to guide you through filling out the blank form.

- 1. Write the name of the county you are filing in by arrowbox 1. Write exactly what you wrote on Form 1, by arrowbox 1.
- 2. Write the name of the Plaintiff by arrowbox 2. Write it exactly as it appears on Form 1, by arrowbox 2.
- 3. Write the name of the Defendant by arrowbox 3. Write it exactly as it appears on Form 1, by arrowbox 3.
- 4. Write the docket number by arrowbox 4. The docket number is the number that the Prothonotary's Office wrote on Form 1, by arrowbox 4 at the time of filing.
- 5. Write your spouse's name by arrowbox 5.
- 6. Count 20 calendar days from the date that you will be mailing this form to your spouse. Day 1 is the day the form is mailed to your spouse. Write that date by arrowbox 6.
- 7. If you live in one of the following counties: Allegheny, Beaver, Berks, Blair, Bucks, Chester, Cumberland, Dauphin, Delaware, Erie, Lackawanna, Lancaster, Lehigh, Luzerne, Mercer, Monroe, Montgomery, Northampton, Philadelphia, Washington, Westmoreland, or York, you must call your county's Court Administrator's Office, Prothonotary's Office, or other related county office to determine what lawyer referral service to put by arrowbox 7.

#### If you do NOT live in one of the above listed counties: Write by arrowbox 7:

"Pennsylvania Bar Association – Lawyer Referral Service Telephone 1-800-692-7375 (PA only) or 717-238-6715"

- 8. Sign this form by arrowbox 8.
- 9. Write the name of the county you are filing in by arrowbox 9. Write exactly what you wrote on Form 1, by arrowbox 1.
- 10. Write your name by arrowbox 10. Write your name exactly as you wrote it on Form 1, by arrowbox 2.
- 11. Write your spouse's name by arrowbox 11. Write your spouse's name exactly as you wrote it on Form 1, by arrowbox 3.
- 12. Write the docket number by arrowbox 12. The docket number is the number that the Prothonotary's Office wrote on Form 1, by arrowbox 4 at the time of filing.

Leave the rest of this document blank.

Note: This form MUST be properly served on the other party (see Divorce Procedure section). Use Form 11 for service.

	COMMON PLEAS OF		
	COUNTY, PENNSYLVANIA : CIVIL ACTION – LAW		
PLAINTIFF	: : :		
vs	: Case No		
DEFENDANT ,	: IN DIVORCE		
<b>SECTION 3301(d)</b>	TO REQUEST ENTRY OF DIVORCE DECREE e's full name)		
You have been sued in an action for divorce. You have failed to answer the Complaint of file a Counter-Affidavit to the § 3301(d) Affidavit. Therefore, on or after (20 days after service of this document), the other party can request the court to enter a final decree in divorce.  If you do not file with the Prothonotary of the court an answer with your signature notarized or verified or a counter-affidavit by the above date, the court can enter a final decree in divorce. A counter-affidavit which you may file with the Prothonotary of the court is attached to this notice.  Unless you have already filed with the court a written claim for economic relief, you must do so by the above date or the court may grant the divorce and you will lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.			
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.			
	Respectfully submitted,		
	8		
For	(Signature)		

Form 9 Page 1 of 2

#### IN THE COURT OF COMMON PLEAS OF COUNTY, PENNSYLVANIA **CIVIL ACTION – LAW PLAINTIFF** Case No. **DEFENDANT** IN DIVORCE COUNTER-AFFIDAVIT UNDER §3301(d) OF THE DIVORCE CODE 1. Check either (a) or (b): (a) I do not oppose the entry of a divorce decree. I oppose the entry of a divorce decree because (Check: (i), (ii) or both): (b) (i) The parties to this action have not lived separate and apart for a period of at least two years. The marriage is not irretrievably broken. (ii) 2. Check either (a) or (b): I do not wish to make any claims for economic relief. I understand that I (a) may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted. I wish to claim economic relief which may include alimony, division of (b) property, lawyer's fees or expenses or other important rights. I understand that in addition to checking (b) above, I must also file all of my economic claims with the Prothonotary in writing and serve them on the other party. If I fail to do so before the date set forth on the Notice of Intention to Request Divorce Decree, the divorce decree may be entered without further delay. I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities. Date: \_\_\_\_\_ Signature

NOTICE: If you <u>do not</u> wish to oppose the entry of a divorce decree and you <u>do not</u> wish to make any claim for economic relief, you need not file this Counter-Affidavit. If you <u>do</u> wish to claim either economic relief and/or oppose the divorce, you must complete this form and file it with the Prothonotary. It is recommended that you speak to an attorney.

PLAINTIFF	, <u>:</u>	CIVIL ACTION – LAW
vs.	: : :	Case No
DEFENDANT	, :	IN DIVORCE
NOT	TICE OF INTENTION TO SECTION 3301(d) DI	O REQUEST ENTRY OF VORCE DECREE
TO:	(spouse's full nam	ne)
Counter-Affidavit to the § 330 service of this document), the of If you do not file with verified or a counter-affidavit by affidavit which you may file with Unless you have alread the above date or the court marelief. The filing of the form cour YOU SHOULD TAKE T LAWYER, GO TO OR TELEPHOYOU WITH INFORMATION ABOLAWYER, THIS OFFICE MAY ENTIRE OFFICE MAY	ther party can request the Prothonotary of the y the above date, the court a vine Prothonotary of the dy filed with the court a viny grant the divorce and oter-affidavit alone does THIS PAPER TO YOUR I ONE THE OFFICE SET OUT HIRING A LAWYEL BE ABLE TO PROVIDE RVICES TO ELIGIBLE F	ou have failed to answer the Complaint or file a e, on or after
	 (Signa	ature)

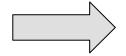
PLAINTIFF	, : CIVI	L ACTION – LAW
vs.	: Case	e No
DEFENDANT	, : : IN D	IVORCE
COL	JNTER-AFFIDAVIT UNDER §3301(d)	OF THE DIVORCE CODE
1. Check either (a) or (b)  (a)  (b)	I do not oppose the entry of a divorce decree be	
	(ii) The marriage is not irretrievably	broken.
2. Check either (a) or (b)	:	
(a)		nomic relief. I understand that I may lose rights lawyer's fees or expenses if I do not claim them
(b)	I wish to claim economic relief which may fees or expenses or other important rights	r include alimony, division of property, lawyer's s.
writing and serve them or	on to checking (b) above, I must also file at the other party. If I fail to do so before the the divorce decree may be entered withou	
	atements herein are made subject to the pe	he best of my knowledge, information, and belief enalties of 18 Pa.C.S. § 4904, relating to unsworr
Date:	 Signature	

NOTICE: If you do not wish to oppose the entry of a divorce decree and you do not wish to make any claim for economic relief, you need not file this Counter-Affidavit. If you do wish to claim either economic relief and/or oppose the divorce, you must complete this form and file it with the Prothonotary. It is recommended that you speak to an attorney.

#### **Instructions for:**

## Form 10

# Affidavit of Non-Military Service Pursuant to Pa.R.C.P. 1920.46



## Form 10 – Affidavit of Non-Military Service Pursuant to Pa.R.C.P. 1920.46

You may not need to file this form. You cannot obtain a 3301(d) divorce against an unrepresented Defendant if he/she is in the military. Therefore, you only need to file this form if your spouse is not represented by counsel, and you are seeking a divorce under Section 3301(d) of the Divorce Code.

The numbers on these instructions correspond with the numbers in the arrowboxes on the form. Use the form with the arrowboxes to guide you through filling out the blank form.

- 1. Write the name of the county you are filing in by arrowbox 1. Write exactly what you wrote on Form 1, by arrowbox 1.
- 2. Write the name of the Plaintiff by arrowbox 2. Write it exactly as it appears on Form 1, by arrowbox 2.
- 3. Write the name of the Defendant by arrowbox 3. Write it exactly as it appears on Form 1, by arrowbox 3.
- 4. Write the docket number by arrowbox 4. The docket number is the number that the Prothonotary's Office wrote on Form 1, by arrowbox 4 at the time of filing.
- 5. Write your full name by arrowbox 5.
- 6. Write the date by arrowbox 6.
- 7. Sign this form by arrowbox 7.
- 8. File this form with the Prothonotary.

	:	CIVIL ACTION – LAW
PLAINTIFF (your full name)	:	
	:	Case No
vs.	:	
	:	
,	:	
<b>DEFENDANT</b> (spouse's full name)	:	IN DIVORCE
	_	ITARY SERVICE C.P. 1920.46.
I,above-captioned matter; that I personally know the		
that Defendant is not in the military service or in a allies or otherwise within the provisions of the Se Sailors' Civil Relief Act of Congress of 1940, and	ervicemem	per's Civil Relief Act, formally the Soldiers' and
I verify that the statements in this docume information, and belief. I understand that false statements are partially as a statement of the st	atements h	,
Date:		
	Plair	tiff's Signature

#### **Instructions for:**

### Form 11

### **Certificate of Service**

#### Form 11 - Certificate of Service

- 1. Write the name of the county in which you are filing in the first blank. Write exactly what you wrote on Form 1.
- 2. Write the name of the Plaintiff in the appropriate blank. Write it exactly as it appears on Form 1.
- 3. Write the name of the Defendant in the appropriate blank. Write it exactly as it appears on Form 1.
- 4. Write the docket number in the Case No. blank. The docket number is the number that the Prothonotary's Office wrote on Form 1 at the time of filing.
- 5. Mark the box(es) of the document(s) you are mailing to your spouse. If you are mailing a form not listed, write the name of the form in the "other" space provided.
- 6. Write your spouse's name and address in the provided spaces.
- 7. Write the date.
- 8. Sign your name.
- 9. File this form with the Prothonotary.

-		
PLAINTIFF	, : CIVIL ACTION – LAW	
VS.	. Case No	
v3.	•	
DEFENDANT	, : IN DIVORCE	
	CERTIFICATE OF SERVICE	
_	hereby certifies that on this date, a true and correct copy of the following have been ny of the following that apply)	
	Affidavit Under Section 3301(d) of the Divorce Code	
Affidavit Under 3	Notice of Intention to Request Entry of Section 3301(d) Divorce Decree, and Counter 301(d)	
	Affidavit of Non-Military Service	
	Notice of Intention to Request Entry of Section 3301(c) Divorce Decree, and Counter	
Affidavit Under 3	301(c)	
	(Other)	
The undersigned following:	hereby certifies that the above documents were served by first class mail to the	
	(spouse's name)	
	(spouse's address)	
Respectfully Sub	mitted,	
Date: (Signat <del>ure)</del>		

#### **Instructions for:**

## Form 12

## **Praecipe to Transmit the Record**

#### Form 12 - Praecipe to Transmit the Record

The numbers on these instructions correspond with the numbers in the arrowboxes on the form. Use the form with the arrowboxes to guide you through filling out the blank form.

- 1. Write the name of the county you are filing in by arrowbox 1. Write exactly what you wrote on Form 1, by arrowbox 1.
- 2. Write the name of the Plaintiff by arrowbox 2. Write it exactly as it appears on Form 1, by arrowbox 2.
- 3. Write the name of the Defendant by arrowbox 3. Write it exactly as it appears on Form 1, by arrowbox 3.
- 4. Write the docket number by arrowbox 4. The docket number is the number that the Prothonotary's Office wrote on Form 1, by arrowbox 4 at the time of filing.
- 5. Circle either 3301(c) or 3301(d), depending on the type of divorce you are seeking.
- 6. Write the date that Form 1 was served by arrowbox 5. This date will be on either Form 3-A (the date your spouse signed the Acceptance), 3-B (the date your spouse signed the green card), or 3-C (the date a third party handed your spouse Form 1), depending on which form you used for service.
- 7. Write the method of service by arrowbox 7:
- If your spouse accepted Form #1 from you and signed Form 3-A, write: "acceptance" by arrowbox 6.
- If you mailed Form #1 to your spouse by certified, restricted delivery, and filed Form 3-B, write: "certified, restricted, return receipt requested United States mail" by arrowbox 6.
- If a third party, not you (ex/ the Sheriff), handed Form #1 to your spouse and completed Form 3-C, write: "personal service" by arrowbox 6.

#### If you are doing a 3301(c) consent divorce, complete the following:

- 8. Write the date Plaintiff (the person by arrowbox 2) <u>signed</u> Form 5-A (Affidavit of Consent) by arrowbox 8.
- 9. Write the date Defendant (the person by arrowbox 3) <u>signed</u> Form 5-B (Affidavit of Consent) by arrowbox 9.
- 10. Leave arrowbox 10 blank.
- 11. Leave arrowbox 11 blank.
- 12. If you have no other pending claims (such as a Petition for Special Relief or any other economic claim), write "no claims pending" by arrowbox 12. If you have completed, signed, and filed an agreement between the two parties settling

If you have completed, signed, and filed an agreement between the two parties settling your economic claims, and within the document itself it states that the parties wish to incorporate, but not merge, the agreement, then by arrowbox 12 write: the name of the document, the date it was signed, that the parties wish to "incorporate but not merge" the document, and the paragraph number within the document or other indication of location requesting the incorporation.

If you have a Petition for Special Relief pending, write the name of your petition and a brief description of the claim by arrowbox 9 and attach a copy of your petition to the Praecipe.

A OR B

If filing Waivers - If serving a Notice of Intention -

- 13. Leave line 13 blank.
- 14. Leave line 14 blank.
- 15. Write the date the Plaintiff (the person on line 2) <u>filed</u> (time stamped) Form 6-A (Waiver of Notice) in the Prothonotary's Office by arrowbox 15.
- 16. Write the date the Defendant (the person on line 3) <u>filed</u> (time stamped) Form 6-B (Waiver of Notice) in the Prothonotary's Office by arrowbox 16.
- 13. Write the date you served Form 7 (Notice of Intention to Request Entry of Section 3301(c) Divorce Decree/Counter-Affidavit) by arrowbox 13. (See Form 11 for date of service.)
- 14. Write how you served Form 7 by arrowbox 14 "First Class Mail."
- 15. Leave arrowbox 15 blank.
- 16. Leave arrowbox 16 blank.
- 17. Write the date you sign this document by arrowbox 17.
- 18. Sign your name by arrowbox 18, indicate whether you are the Plaintiff or Defendant.
- 19. File this form with the Prothonotary.

## If you are doing a 3301(d) non-consent divorce (1 year of separation), complete the following:

- 8. Leave arrowbox 8 blank.
- 9. Leave arrowbox 9 blank.
- 10. Write the date you <u>signed</u> Form 8 (Affidavit Under Section 3301(d)) by arrowbox 10.
- 11. Write the date you <u>served</u> Form 8 by arrowbox 10. (See Form 11 for date of service.)
- 12. If you have no other pending Petitions (such as a Petition for Special Relief), write "no claims pending" by arrowbox 12.

If you have completed, signed, and filed an agreement between the two parties settling your economic claims, within the document itself it states that the parties wish to incorporate, but not merge, the agreement, then by arrowbox 12 write: the name of the document, the date it was signed, that the parties wish to "incorporate but not merge" the document, and the paragraph number within the document or other indication of location requesting the incorporation.

If you have a Petition for Special Relief pending, write the name of your petition by arrowbox 9 and attach a copy of your petition to the Praecipe.

- 13. Write the date you served Form 9 (Notice of Intention to Request Entry of Section 3301(d) Divorce Decree) by arrowbox 13. (See Form 11 for date of service.)
- 14. Write how you served Form 9 by arrowbox 14 "First Class Mail."
- 15. Leave arrowbox 15 blank.
- 16. Leave arrowbox 16 blank.
- 17. Write the date you sign this document by arrowbox 16.
- 18. Sign your name by arrowbox 17 and indicate whether you are the Plaintiff or Defendant.
- 19. File this form with the Prothonotary.

IN THE COURT ( PENNSYLVANIA	OF COMMON PLEAS	S OF CC	OUNTY,	
<sup>2</sup> ,		- :	CIVIL ACT	ΓΙΟΝ – LAW
PLAINTIFF .		:		4
<b>:</b>			Case No.	4
vs.	_	:		
<sup>3</sup>		:		
DEFENDANT		:	IN DIVOR	CE
PRAECIPE TO TI	RANSMIT RECORD			
To the Prothonotary	<b>:</b>			
Transmit the record	, together with the follo	wing inf	ormation, to tl	ne Court for entry of
a divorce decree:				
				5
1 Count for diver	aga. Immatmi ayyah la hamaalad	1	lan Castian 221	01(a) or 2201(d) of the
	ce: Irretrievable breakd	iown und	ier Section <u>550</u>	<u>51(c)</u> or <u>5301(d)</u> or the
Divorce Code.				
2. Date and manner	of service of the Comp	plaint: od of serv		(date of service);
3. Complete either	paragraph (a) or (b).			
(a)	Date of execution o	of the Aff	idavit of Cons	ent requi <b>g</b> ed by Section
3301(c)	of the Divorce Code: b	y Plainti	ff	
(date Plaintiff signed	d); by Defendant			(date
Defendant signed).				
(b)	Date of execution o	f Plaintif	f's A <mark>ffiday</mark> it r	required by Section
3301(d) of the Divo	rce Code:		لح	(date Plaintiff
signed); Date of ser	viçe of Plaintiff's Affid		n Defendant:	

4.51.111	12			
4. Related claims	pending:		•	
5. Complete eithe	r (a) or (b).			
(a)	Date and man	ner of service	e of the Notice	of Intention to file
Praecipe, a copy of	f which is attached:		(d	late of service);
		₹,	(m	nethod of service).
(b)	Date Plaintiff'	s Waiver of 1	Notice was file	ed with the Prothonotary
	الحرك المراجعة	(date filed).	Date Defend	ant's Waiver of Notice
was filed with the	Prothonotary:		<u>ئ</u>	(date filed).
17	1		18	
Dated:				<b>-</b>
	<ul><li>( )Plaintiff</li><li>( )Defendant</li></ul>			
	Describination			

	, : CIVIL ACTION – LAW
PLAINTIFF	:
vs.	Case No
DEFENDANT	IN DIVORCE
	PRAECIPE TO TRANSMIT RECORD
To the Prothonotary Transmit the record decree:	r: , together with the following information, to the Court for entry of a divorce
<ol> <li>Ground for divor Code.</li> </ol>	ce: Irretrievable breakdown under Section 3301(c) or 3301(d) of the Divorce
	er of service of the Complaint:(date of service);(method of service).
3. Complete either	paragraph (a) or (b).
	n of the Affidavit of Consent required by Section 3301(c) of the Divorce Code:(date Plaintiff signed); by
	(date Defendant signed).
	Date of execution of Plaintiff's Affidavit required by Section 3301(d) of the(date Plaintiff signed); Date of service of Plaintiff's Affidavit upon(date of service).
4 Related claims n	endina:

5. Complete either (a) of	or (b).		
(a)	Date and manner of service of the Notice of Intention to file Praecipe, a		
copy of which is attache	d:(date of service);		
	(method of service).		
(b)	Date Plaintiff's Waiver of Notice was filed with the Prothonotary:		
	(date filed). Date Defendant's Waiver of Notice was filed		
with the Prothonotary: _	(date filed).		
Dated:			
	( ) Plaintiff		
	( ) Defendant		

#### **Instructions for:**

### Form 13

## **Divorce Decree**

#### Form 13 - Divorce Decree

- 1. Write the name of the county in which you are filing. Write exactly what you wrote on Form 1.
- 2. Write the name of the Plaintiff. Write it exactly as it appears on Form 1.
- 3. Write the name of the Defendant. Write it exactly as it appears on Form 1.
- 4. Write the docket number. The docket number is the number that the Prothonotary's Office wrote on Form 1 at the time of filing.
- 5. Write your name.
- 6. Write your spouse's name.
- 7. File this form with the Prothonotary.

The Court will fill out the date at the top and sign at the bottom.

,	:	CIVIL ACTION – LAW
PLAINTIFF	:	
		Case No
VS.	:	
DEFENDANT ,	: :	IN DIVORCE
DECREE (	OF DIVOF	RCE
AND NOW,	, 20	_, it is ordered, and decreed that
		(your name), Plaintiff, and
		(your spouse's name), Defendant
are divorced from the bonds of matrimony.		
The Court retains jurisdiction of any claims rais	ed by the	parties to this action for which a final
order has not yet been entered.		
Any existing spousal support order shall hereaf	fter be de	emed an order for alimony pendente
lite if any economic claims remain pending.		
By the Court,		

J.

#### **Instructions for**

## FORM 14 Divorce Information Sheet (Vital Records Form)

- 1. Write your docket number where it asks for the Case No.
- 2. Fill in the date of marriage.
- 3. Check the appropriate box for the number of years you were married.
- 4. File this form with the Prothonotary when you file Form 12 and Form 13.

#### Form 14 Divorce Information Sheet

## VITAL RECORDS FORM DIVISION OF STATISTICAL REGISTRIES HARRISBURG, PA

DURATION OF MARRIAGE		
CASE NO:		
DATE	OF MARRIAGE :	
YEARS MARRIED	PICK APPROPRIATE BOX BELOW	
<5		
5-9		
10-14		
15-19		
20-24		
25-29		
30 +		
Unknown		
l .	I and the second	

Number of children from this marriage:	
Number of dependent children under 18	•

## **Form 15**

## Notice of Intention to Resume Prior Surname

Instructions for Form 15:

## DO NOT FILL IN THIS FORM UNTIL YOU ARE STANDING IN FRONT OF A CLERK IN THE PROTHONOTARY'S OFFICE.

In order for the Prothonotary to properly notarize this form, they must witness you signing the paperwork.

PLAINTIFF (your full name)	CIVIL ACTION – LAW
· · · · · · · · · · · · · · · · · · ·	Case No
vs.	
DEFENDANT (spouse's full name)	IN DIVORCE
ELECTION TO RETAKE	AND RESUME PRIOR NAME
TO: NANCY WERME, PROTHONOTAR	Y
Pursuant to the Act of the General Assembly May 25 <sup>th</sup> , 1939, P.L. 192,	y of the Commonwealth of Pennsylvania, of
I,	, (Plaintiff/Defendant)
	ny intention and do hereby elect to retake and
resume my prior name of -	
COMMONWEALTH OF PENNSYLVANI	IA COUNTY OF BEAVER
Now, this day of,	20, before me, in and for said County and
State, personally appeared the above named	
	and acknowledged the foregoing
written notice of intention to retake and resu	ime prior name.

#### **CERTIFICATE OF COMPLIANCE**

#### **RE: ACCESS TO COURT CASE RECORDS**

CASE NO.				

I certify that this filing complies with the provisions of the Public Access Policy of the
Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that
require filing confidential information and documents differently than non-confidential
information and documents.

Submitted by:
Signature:
Name:
Attorney No. (if applicable):

Rev. 02/22/18



#### **Notice of Language Rights**

#### Language Access Coordinator

Beaver County Courthouse, 810 Third Street, Beaver, PA, 15009

#### 724-770-4770

#### languageaccess@beavercountypa.gov

**English:** You have the right to an interpreter at no cost to you. To request an interpreter, please inform court staff using the contact information provided at the top of this notice.

**Spanish/Español:** Usted tiene derecho a un intérprete libre de costo. Para solicitar un intérprete favor de informárselo al personal judicial utilizando la información provista en la parte superior de este aviso.

Mandarin/Cantonese Simplified Chinese/普通话/粤语简体中文: 您有权获得免费的口译员服务。若需要口译员,请使用本通知上方提供的联系信息通知法院工作人员。

Mandarin/Cantonese Traditional Chinese/普通話/廣東話繁體中文: 您有權要求免費傳譯服務。如欲要求傳譯服務,請參閱本通知頂部的聯絡資料,通知法庭職員。

<u>Arabic/العربية</u>: يحق لك الحصول على مترجم دون دفع أي تكلفة من جانبك. لطلب مترجم، يُرجى إعلام موظفي المحكمة باستخدام معلومات الاتصال المقدمة في الجزء العلوي من هذا الإشعار.

<u>Russian/Русский</u>: У вас есть право на бесплатные услуги переводчика. Заявка на переводчика подается в суд по адресу, телефону или эл. почте, указанным выше в заголовке этого уведомления.

<u>Vietnamese/Tiếng Việt</u>: Quý vị có quyền được một thông dịch viên giúp mà không tốn chi phí nào cả, xin hãy báo cho nhân viên tòa án dùng thông tin liên lạc có ở trên đầu thông báo này.

Nepali/नेपाली: तपाईंको निःशुल्क रूपमा भाषा अनुवादक राख्न पाउने अधिकार छ। अनुवादकको लागि अनुरोध गर्न, यस सूचनाको माथि दिइएको सम्पर्क जानकारी भरेर अदालतका कर्मचारीहरूलाई जानकारी दिन्होस्।

**Korean/한국어:** 귀하는 비용에 대한 부담 없이 통역 서비스를 받을 권리가 있습니다. 통역 서비스를 요청하려면 본 통지서의 상단에 기재된 연락처를 통해 법원 직원에게 알리십시오.

<u>Polish/Polski</u>: Ma Pan/Pani prawo do nieodpłatnego skorzystania z usług tłumacza ustnego. Aby zwrócić się o wsparcie ze strony tłumacza ustnego, proszę skontaktować się z pracownikami sądu, korzystając z danych znajdujących się w górnej części niniejszego dokumentu.

<u>Punjabi/ پنجابی</u> <u>Pakistan</u>: تہاڈے کول بغیر ادائیگی کیتیاں اک مترجم حاصل کرن دا حق اے۔ مترجم دی درخواست کرن لئی، میربانی کر کے ایس نوٹس دے اُوتے فراہم کیتیاں رابطے دیاں معلومات نوں ورتدیاں عدالت دے عملے نوں اطلاع دوو۔

<u>Punjabi/ ਪੰਜਾਬੀ /India:</u> ਤੁਹਾਨੂੰ ਇਕ ਦੁਭਾਸ਼ੀਆ ਹਾਸਲ ਕਰਨ ਦਾ ਹੱਕ ਹੈ, ਜਿਸ ਦੀ ਤੁਹਾਨੂੰ ਕੋਈ ਲਾਗਤ ਨਹੀਂ ਲੱਗੇਗੀ। ਦੁਭਾਸ਼ੀਏ ਲਈ ਬੇਨਤੀ ਕਰਨ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰ ਕੇ ਅਦਾਲਤ ਦੇ ਅਮਲੇ ਨੂੰ ਜਾਣੂ ਕਰਵਾਓ ਤੇ ਇਸ ਲਈ ਇਸ ਨੋਟਿਸ ਦੇ ਸਿਖਰ ਉਤੇ ਦਿੱਤੀ ਸੰਪਰਕ ਜਾਣਕਾਰੀ ਦਾ ਇਸਤੇਮਾਲ ਕਰੋ।

<u>Portuguese/Português:</u> Você tem direito a um intérprete gratuitamente. Para solicitar um intérprete, informe à nossa equipe usando os dados de contato mostrados na parte superior deste aviso.

<u>Somali/Somaali</u>: Waxaad xaq u leedahay in lagu turjumo lacag la'aan ah. Si aad u codsato turjumaanka, fadlan u sheeg maxkamadda shaqaalaha adiga oo isticmaala macluumaadka ciwaanka kor lagu siiyay ee ogeysiiskaan.

Haitian Creole/Kreyòl Ayisyen: Ou gen dwa resevwa sèvis yon entèprèt gratis. Pou mande pou yon entèprèt, tanpri fè manm pèsonèl tribinal la konnen lè ou sèvi avèk enfòmasyon an yo te bay ou nan tèt avi sa a.

<u>French/Français</u>: Vous avez le droit de bénéficier gratuitement de l'assistance d'un interprète. Pour en faire la demande, veuillez en informer le personnel du tribunal à l'aide des coordonnées indiquées en haut de page.